

AVANIR.092A



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DT07 Rec'd PCT/PTO 27 OCT 2004  
PCT

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Jagadish C. Sircar, et al. )  
App. No. : 10/508,968 )  
Filed : September 24, 2004 )  
For : **USE OF BENZIMIDAZOLE ANALOGS IN** )  
      **THE TREATMENT OF CELLULAR** )  
      **PROLIFERATION** )  
Examiner : Unknown )

ESTABLISHMENT OF RIGHT OF ASSIGNEE TO TAKE ACTION  
AND  
REVOCATION AND POWER OF ATTORNEY

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

The undersigned is empowered to act on behalf of the assignee below (the "Assignee"). A true copy of the original Assignment of the above-captioned application from the inventors to the Assignee is attached hereto. This Assignment represents the entire chain of title of this invention from the Inventors to the Assignee.

I declare that all statements made herein are true, and that all statements made upon information and belief are believed to be true, and further, that these statements were made with the knowledge that willful, false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. § 1001, and that willful, false statements may jeopardize the validity of the application, or any patent issuing thereon.

The undersigned hereby revokes any previous powers of attorney in the subject application, and hereby appoints the registrants of Knobbe, Martens, Olson & Bear, LLP, 2040

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App. No. : 10/508,968  
Filed : September 24, 2004

Main Street, Fourteenth Floor, Irvine, California 92614, Telephone (949) 760-0404, Customer No. 20,995, as its attorneys with full power of substitution and revocation to prosecute this application and to transact all business in the U.S. Patent and Trademark Office connected herewith. This appointment is to be to the exclusion of the inventors and their attorney(s) in accordance with the provisions of 37 C.F.R. § 3.71.

Please use Customer No. 20,995 for all communications.

AVANIR PHARMACEUTICALS

Dated: October 19, 2004 By: Jagadish C. Sircar  
Jagadish C. Sircar, Ph.D.

Title: Vice President Drug Discovery

Address: 11388 Sorrento Valley Road, Suite 200  
San Diego, CA 92121

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Application No.: 10/508,968  
Filing Date: September 24, 2004

PATENT

Client Code: AVANIR.092A

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## ASSIGNMENT

WHEREAS, We, Jagadish C. Sircar, a citizen of the United States of America, residing at **4832 Riding Ridge Road, San Diego, CA 92130**, and Mark L. Richards, a citizen of the United States of America, residing at **11042 W. Ocean Air Drive, #345, San Diego, CA 92130**, have invented certain new and useful improvements in a **USE OF BENZIMIDAZOLE ANALOGS IN THE TREATMENT OF CELL PROLIFERATION**, for which we have filed an application for Letters Patent in the United States, Application No. 10/508,968, filed on **September 24, 2004**;

AND WHEREAS, Avanir Pharmaceuticals (hereinafter "ASSIGNEE"), a California Corporation, with its principal place of business at **11388 Sorrento Valley Road, Suite 200, San Diego, CA 92121**, desires to acquire the entire right, title, and interest in and to the said improvements and the said Application:

NOW, THEREFORE, in consideration of the sum of One Dollar (\$1.00) to me in hand paid, and other good and valuable consideration, the receipt of which is hereby acknowledged, we, the said inventors, do hereby acknowledge that we have sold, assigned, transferred and set over, and by these presents do hereby sell, assign, transfer and set over, unto the said ASSIGNEE, its successors, legal representatives and assigns, the entire right, title, and interest throughout the world in, to and under the said improvements, and the said application and all provisional applications relating thereto, and all divisions, renewals and continuations thereof, and all Letters Patent of the United States which may be granted thereon and all reissues and extensions thereof, and all rights of priority under International Conventions and applications for Letters Patent which may hereafter be filed for said improvements in any country or countries foreign to the United States, and all Letters Patent which may be granted for said improvements in any country or countries foreign to the United States and all extensions, renewals and reissues thereof; and we hereby authorize and request the Commissioner of Patents of the United States, and any Official of any country or countries foreign to the United States, whose duty it is to issue patents on applications as aforesaid, to issue all Letters Patent for said improvements to the said ASSIGNEE, its successors, legal representatives and assigns, in accordance with the terms of this instrument.

AND WE HEREBY covenant and agree that we will communicate to the said ASSIGNEE, its successors, legal representatives and assigns, any facts known to us respecting said improvements, and testify in any legal proceeding, sign all lawful papers, execute all divisional, continuing and reissue applications, make all rightful oaths and generally do everything possible to aid the said ASSIGNEE, its successors, legal representatives and assigns, to obtain and enforce proper patent protection for said improvements in all countries.

IN TESTIMONY WHEREOF, I hereunto set my hand and seal this 19<sup>th</sup> day of October, 2004

# COPY

STATE OF California

} ss.

COUNTY OF San Diego

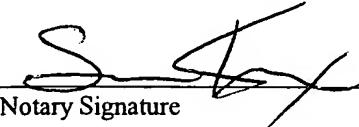
Jagadish C. Sircar  
Jagadish C. Sircar

On October 19, 2004, before me, Sara Knox, Notary Public, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same in his authorized capacity, and that by his signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

WITNESS my hand and official seal.

[SEAL]

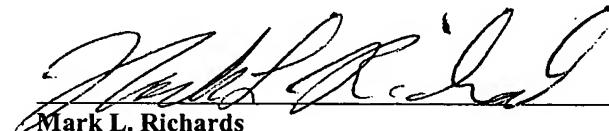


  
Notary Signature

COPY

IN TESTIMONY WHEREOF, I hereunto set my hand and seal this \_\_\_\_\_ day of \_\_\_\_\_, 2004

IN TESTIMONY WHEREOF, I hereunto set my hand and seal this 18 day of October, 2004



Mark L. Richards

STATE OF California }  
COUNTY OF San Diego } ss.

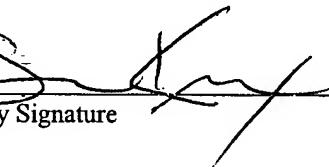
On October 18, 2004, before me, Sara Knox, Notary Public, personally appeared Mark L. Richards personally known to me (or proved to me on the basis of satisfactory evidence) to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same in his authorized capacity, and that by his signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

WITNESS my hand and official seal.

[SEAL]



Notary Signature



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